

## Environmental Protection Agency

## § 52.2040

25, 2000 and July 19, 2001 including its RACM analysis and determination. EPA is approving the enforceable commitments made to the attainment plan for the Philadelphia-Wilmington-Trenton severe ozone nonattainment area submitted by the Pennsylvania Department of Environmental Protection on July 31, 1998, February 25, 2000 and July 19, 2001. The enforceable commitments are to:

(1) Submit measures by October 31, 2001 for additional emission reductions

as required in the attainment demonstration test, and to revise the SIP and motor vehicle emissions budgets by October 31, 2001 if the additional measures affect the motor vehicle emissions inventory,

(2) [Reserved]

(3) Perform a mid-course review by December 31, 2003.

(k) EPA approves the following mobile budgets of the post-1996 rate of progress plans and the 2005 attainment plan:

TRANSPORTATION CONFORMITY BUDGETS FOR THE PHILADELPHIA AREA

Type of control strategy SIP	Year	VOC (tpd)	NO <sub>x</sub> (tpd)	Date of adequacy determination or SIP approval date
Post-1996 ROP Plan .....	1999	88.6	109.6	June 23, 2000 (65 FR 36438, June 8, 2000).
Post-1996 ROP Plan .....	2002	69.52	93.13	June 23, 2000 (65 FR 36438, June 8, 2000).
Post-1996 ROP Plan .....	2005	79.69	144.73	June 21, 2004 (May 21, 2004, 69 FR 29240).
Attainment Demonstration .....	2005	79.69	144.73	June 12, 2003 (68 FR 31700, May 28, 2003).

(1)-(2) [Reserved]

(l) EPA approves the Commonwealth of Pennsylvania's revised 1990 and the 2005 VOC and NO<sub>x</sub> highway mobile emissions inventories and the 2005 motor vehicle emissions budgets for the 1-hour ozone attainment SIP for the Philadelphia-Wilmington-Trenton severe ozone nonattainment area. These revisions were submitted by the Pennsylvania Department of Environmental Protection on January 17, 2003. Submission of these revised MOBILE6-based motor vehicle emissions inventories was a requirement of EPA's approval of the attainment demonstration under paragraph (j) of this section.

[46 FR 17553, Mar. 19, 1981, as amended at 47 FR 8359, Feb. 26, 1982; 47 FR 25010, June 9, 1982; 60 FR 37018, July 19, 1995; 61 FR 15713, Apr. 9, 1996; 61 FR 24709, May 16, 1996; 61 FR 28066, June 4, 1996; 61 FR 67231, Dec. 20, 1996; 62 FR 8624, Feb. 26, 1997; 62 FR 11082, Mar. 11, 1997; 66 FR 53106, Oct. 19, 2001; 66 FR 54164, Oct. 26, 2001; 68 FR 58612, Oct. 10, 2003; 69 FR 29240, May 21, 2004]

### § 52.2038 Rate of Progress Plans: Ozone.

(a) EPA grants full approval to Pennsylvania's 15 Percent Rate of Progress Plan for the Pittsburgh-Beaver Valley ozone nonattainment area, submitted

by the Secretary of the Pennsylvania Department of Environmental Protection on March 22, 1996, as formally revised on February 18, 1997 and on July 22, 1998.

(b) EPA grants full approval to the 15 Percent Rate of Progress Plan for Pennsylvania's portion of the Philadelphia-Wilmington-Trenton ozone nonattainment area. The area that is the subject of this action encompasses Bucks, Chester, Delaware, Philadelphia, and Montgomery Counties. The plan was formally submitted to EPA by the Secretary of the Pennsylvania Department of Environmental Protection on September 12, 1996, and was formally revised on April 10, 1997 and June 5, 1998.

[66 FR 17638, Apr. 3, 2001, as amended at 66 FR 44548, Aug. 24, 2001]

### § 52.2039 [Reserved]

### § 52.2040 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

The owner or operator of each NO<sub>x</sub> source located within the State of Pennsylvania and for which requirements are set forth under the Federal CAIR NO<sub>x</sub> Annual and Ozone Season

## **§ 52.2041**

Trading Programs in part 97 of this chapter must comply with such applicable requirements.

[71 FR 25376, Apr. 28, 2006]

### **§ 52.2041 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?**

The owner or operator of each SO<sub>2</sub> source located within the State of Pennsylvania and for which requirements are set forth under the Federal CAIR SO<sub>2</sub> Trading Program in part 97 of this chapter must comply with such applicable requirements.

[71 FR 25376, Apr. 28, 2006]

### **§§ 52.2042–52.2053 [Reserved]**

### **§ 52.2054 Control of asphalt paving material.**

(a) Notwithstanding any provisions to the contrary in the Pennsylvania Implementation Plan, the Pennsylvania Department of Transportation shall restrict the annual usage of asphalts to the limits listed below in the following sixteen county area of Pennsylvania: Allegheny, Armstrong, Beaver, Butler, Cambria, Clarion, Fayette, Green, Indiana, Jefferson, Lawrence, Mercer, Somerset, Venango, Washington, and Westmoreland Counties:

(1) No more than twenty percent of the total amount of liquid bituminous asphalt paving material used shall be cutback asphalt; and

(2) No more than 2,615,000 gallons of cutback asphalts shall be used, of which no more than 1,400,000 gallons may be used for dust palliative work on roadways and shoulders; and

(3) No more than 2,500,000 gallons total of emulsion Class E-4 and Class E-5 shall be used unless an equivalent reduction in the use of cutbacks is made to balance the additional hydrocarbon emissions from emulsions.

(b) The Pennsylvania Department of Transportation is required to submit to the Pennsylvania Department of Environmental Resources, on a quarterly basis, reports which list for each of the affected counties the number of gallons of each class of asphalt used. The first quarterly reports will be submitted in October 1977 for the period between

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July 1, 1977, and September 30, 1977. Copies of all reports will also be forwarded to Region III, EPA.

[42 FR 54417, Oct. 6, 1977]

### **§ 52.2055 Review of new sources and modifications.**

(a) Special permit requirement regulations are approved.

(b) [Reserved]

[39 FR 7283, Feb. 25, 1974, as amended at 46 FR 17554, Mar. 19, 1981; 46 FR 51742, Oct. 22, 1981; 47 FR 8359, Feb. 26, 1982; 60 FR 33924, June 29, 1995]

### **§ 52.2056 [Reserved]**

### **§ 52.2057 Requirements for state implementation plan revisions relating to new motor vehicles.**

Pennsylvania must comply with the requirements of § 51.120.

[60 FR 4738, Jan. 24, 1995]

### **§ 52.2058 Prevention of significant air quality deterioration.**

(a) The requirements of sections 160 through 165 of the Clean Air Act are met by the regulations (25 PA Code § 127.81 through 127.83) adopted by the Pennsylvania Environmental Resources on October 28, 1983. All PSD permit applications and requests for modifications thereto should be submitted to: Pennsylvania Department of Environmental Resources, Bureau of Air Quality Control, 200 North Third Street, Harrisburg, PA 17120, ATTN: Abatement and Compliance Division.

[49 FR 33128, Aug. 21, 1984]

### **§ 52.2059 Control strategy: Particulate matter.**

(a) Pennsylvania has committed to undertake a comprehensive program to investigate non-traditional sources, industrial process fugitive particulate emissions, alternative control measures, and to develop and implement an effective control program to attain the primary and secondary NAAQS for particulates. The schedule for this study is as follows: